



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

Docket Number FRA-2012-0039

In accordance with Part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a letter dated March 17, 2012, CSX Transportation (CSX), has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 232. FRA assigned the petition Docket Number FRA-2012-0039.

CSX seeks relief with respect to the application of 49 CFR Section 232.205, *Class I brake test-initial terminal inspection*, and 232.15 (specifically paragraph (a)), *Movement of defective equipment*, to the cars found to have ineffective brakes during Class I initial terminal brake tests performed at the CONSOL coal pier facility in Baltimore, MD. Specifically, CSX requests that FRA permit cars that cannot be safely repaired at CONSOL's coal pier facility to be moved to CSX's Mount Clare and Curtis Bay facilities for repair.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue, S.E., W12-140, Washington, D.C. 20590. The Docket Operations Facility is

open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: www.regulations.gov. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, S.E., W12-140, Washington, D.C. 20590.
- Hand Delivery: 1200 New Jersey Avenue, S.E., Room W12-140, Washington, D.C. 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by [INSERT DATE 45 DAYS FROM PUBLICATION OF THIS NOTICE] will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the

Federal Register published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78),
or online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC on July 19, 2012.

Ron Hynes
Director, Office of Safety Assurance and Compliance

[FR Doc. 2012-18081 Filed 07/24/2012 at 8:45 am; Publication
Date: 07/25/2012]